

GENERAL CONSTRUCTION PERMIT (GCP-3) for HOT MIX ASPHALT PLANTS

INSTRUCTIONS AND GUIDANCE



NEW MEXICO ENVIRONMENT DEPARTMENT AIR QUALITY BUREAU

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GENERAL INFORMATION & INSTRUCTIONS

This guidance document has been developed by the New Mexico Environment Department's (NMED) Air Quality Bureau (AQB), to help owners or operators of hot mix asphalt plants fill out and understand the GCP-3 "application for registration" form (application). This general construction permit was designed to offer a streamlined permitting approach to qualifying facilities by reducing the turn-around time for processing permit applications and obtaining an air quality permit.

To make determinations and issue permits, the AQB needs information about the proposed facility, including a description of all the equipment and/or processes emitting air pollutants, any air pollution control systems, and the kinds of pollutants being emitted.

WHAT IS A GENERAL CONSTRUCTION PERMIT (GCP)?

A general construction permit (GCP) is a pre-approved permit that applies to a source-specific type of operation or machinery with similar air pollutants. This permit allows the AQB to issue permits faster (30 days), while ensuring compliance with existing federal and state air quality regulations and standards.

WHO CAN APPLY FOR THIS GENERAL CONSTRUCTION PERMIT?

Only owners or operators of hot mix asphalt plants that meet all the applicability requirements in **Section I** of GCP-3 can apply. GCP-3 addresses only facilities that manufacture paving materials by heating and drying aggregate and mixing with asphalt cements. Plants not meeting the location requirements in the general permit or that operate at night are not eligible to register under GCP-3. A regular 20.2.72 NMAC Construction Permit is required for facilities not eligible for GCP-3.

WHERE CAN I OBTAIN COPIES OF THE GENERAL CONSTRUCTION PERMIT APPLICATION FORM?

The most up-to-date applications, forms, and instructions are available on the AQB web site and/or from the AQB office in Santa Fe.

You may obtain copies of the application for registration form and supporting guidance documentation on paper or diskette by calling or submitting a written request to the following address:

New Mexico Environment Department
Air Quality Bureau
2048 Galisteo Street
Santa Fe, New Mexico
Attention: Permit Application Form Request
Telephone (505) 827-1494

You may also download a copy of this application form and supporting documentation from the following web address: <http://www.nmenv.state.nm.us>

HOW MUST THE APPLICATION FORM BE COMPLETED?

The attached application must be filled out completely, including each of the tables. **Do not** attach lists of equipment or tables of emission rates that you have created in place of completing the tables in this application form. However, you may copy the tables in order to list additional equipment that does not fit on a single page.

The AQB will rule incomplete any application that is missing required information. Be sure to fill in every box, answer every question, and provide all attachments. (See the question below about requested information that does not apply to your facility.) The AQB will also rule incomplete any application submitted without the GCP permit fee. All completed applications must be submitted on paper and must be originals, not copies. The AQB **currently** does not accept GCP applications filed electronically or on diskette.

The AQB prefers that applications be completed using a computer printer or typewriter. You may, however, submit a hand-written application provided that you use dark ink and that you print legibly. The AQB reserves the right to refuse to accept illegible permit applications.

WHAT IF INFORMATION REQUESTED IS NOT APPLICABLE TO MY OPERATION?

If something in the application form does not apply to your operation, enter the words “Not Applicable” or use the abbreviation “N/A”. For this application form, “N/A” never means “not available.” If you have difficulty finding some of the information required by the application form, you may call or write to the AQB for help. You may also request a pre-application meeting to answer questions about the permit application process. Again, the AQB will rule the application incomplete if it is missing required information.

WHAT IS THE FEE TO REGISTER FOR GCP-3? WHEN SHOULD IT BE SUBMITTED?

Companies are required by State regulations (20.2.75 NMAC) to pay a fee to the AQB when they apply for a permit. The fee is based on a point system in which each point is equal to a certain dollar value. For GCP-3, the AQB charges each applicant the same number of fee points (currently 10 points). The dollar value of a fee point is changed on Jan 1 of each year to reflect the change in the consumer price index. Go to [New Source Review Fee CPI Adjustment \(http://www.nmenv.state.nm.us/aqb/permit/Fee-CPI-Adjustment-Method.pdf\)](http://www.nmenv.state.nm.us/aqb/permit/Fee-CPI-Adjustment-Method.pdf) to see the current value of a fee point. Due to the brief 30-day registration review period, the permit fee is required to be submitted with the application for registration.

Note that an annual fee will also be assessed by AQB, as required under 20.2.75 NMAC. This fee is also adjusted annually based on the change in the consumer price index and its current value can also be found at the above link.

WHEN SHOULD I START THE PUBLIC NOTICE THAT IS REQUIRED?

Before submitting an application to the AQB, the owner or operator must notify the public of its intent to construct or modify a facility that emits air pollutants. The reason for public notification is to give the public an opportunity to comment on air quality concerns associated with a new or relocated facility. Under subparagraph (2) of subparagraph b of paragraph 2 of Subsection A of 20.2.72.220 NMAC, the applicant’s minimum public notice requirements to obtain this GCP-3, are:

- 1) **publish at least once in the legal notices section of a newspaper of general circulation in the county or counties in which the owner or operator is proposing to construct and operate a Facility AND**
- 2) **post at the entrance of the existing or proposed Facility entrance in a publicly accessible and conspicuous place on the property on which the facility is, or is proposed to be located until the general permit is granted or denied.**

Examples of these notices that are required can be found in the back of this guidance document.

SECTION-BY-SECTION INSTRUCTIONS

TABLE I COMPANY INFORMATION

The Company Information section provides the AQB with basic information about the company such as mailing address, name of the facility and other relevant permitting information.

Line 1.a: *Company name* - This is the name of the company that is applying under this GCP-3.

Line 1.b: *Date application was notarized* - The applicant must certify to the truth and accuracy of the application and have the application notarized by a notary public. A page is reserved in the application package for this certification and notarization.

Line 2.a: *Facility/Site Name* - This line is included because there are some companies that own and operate more than one facility. These facilities usually have a name associated with the particular facility or location.

Line 2.b: *SIC Code* (Standard Industrial Classification) - This four-digit code was developed and is updated by the federal government. It establishes a standard way to classify all industrial, manufacturing, and commercial activity. The SIC code for your operation can be found in the *Standard Industrial Classification Manual* prepared by the Office of Management and Budget. This manual can be found in many libraries. Other information on SIC codes include:

- The Occupational Safety and Health Administration (OSHA) maintains a web page (www.osha.gov/oshstats/sicser.html) that allows the user to search the 1987 manual by keyword to access descriptive information for specific four-digit SIC codes.
- For hot mix asphalt operations, the following three SIC codes generally apply:
 - No. 1611 Highway and Street Construction, except elevated highways
 - No. 1771 Asphaltting of private driveways and private parking areas-contractors
 - No. 2951 Asphalt Paving Mixtures and Blocks

Line 3: *Company mailing address* - This is the actual company mailing address, **not** the address of the proposed facility location.

Line 4.a: *Contact Person* - This should be the person the AQB may call for additional information regarding the permit application.

Line 4.b: *Contact Person's Title* - This is the title or position of the contact person. Example: *Plant Supervisor*.

Line 5.a: *Contact Person's Telephone Number* - This is the telephone number of the Company's contact person.

Line 5.b: *Contact Person's Fax No.* - If you do not have a fax number, enter "N/A."

Line 5.c: *e-mail* - If you do not have an e-mail address, enter "N/A."

Line 6: *Will this facility operate in conjunction with other air regulated parties on the same property?*
GCP-3 allows co-location of hot mix asphalt plants with concrete batch plants and/or either another asphalt plant or a crushing facility. Conditions in Paragraph III.F for co-locations must be met, including setbacks or distances from equipment to the nearest boundary of the restricted area.

TABLE II: APPLICABILITY

Table II asks for information about the operating and regulatory status of the facility for which you are applying for a permit or submitting a notice. Check each box with either a **Yes** or **No** for each question. Some of the questions in the table that may need further explanation can be included in the "Required Attachments" section of the GCP-3 registration form. This section of the guidance document will provide general information to aid in answering some of the questions for which the applicant might need further clarification.

Line 1: When a National Ambient Air Quality Standard (NAAQS) is violated within an air shed, the Environmental Protection Agency (EPA) goes through a formal process of changing the air quality designation of the area. An area may be non-attainment for one pollutant and attainment for all others. Areas that are in attainment for a particular pollutant are in compliance with the ambient air quality standard for that pollutant. Non-attainment areas are out of compliance with one or more of the standards. This line asks if the proposed facility will be located in a non-attainment area for PM₁₀. Currently, the only PM₁₀ non-attainment area in New Mexico is in Anthony, NM. PM₁₀ is particulate matter of inhalable size, i.e., particles with an aerodynamic diameter of 10 microns or less, or about 1/7th the diameter of a human hair.

Line 2: This line asks if your facility has emission units (or sources) that are subject to any New Source Performance Standard (NSPS) other than 40 CFR 60 Subpart I and/or Subpart Kb (See 40 CFR Part 60). These are federal standards that are directly related to hot mix asphalt plants (Subpart I) and facilities that utilize storage tanks used for volatile organic liquids (e.g. gasoline, diesel) or storage vessels constructed, reconstructed, or modified after July 23, 1984. Any operation that is subject to any NSPS besides Subpart I or Kb does not qualify for GCP-3 and must submit a standard air quality application form for hot mix asphalt plants.

Line 3: This line asks if any National Emission Standards for Hazardous Air Pollutants (NESHAP) or Maximum Achievable Control Technology (MACT) apply to this proposed project. These are federal standards and can be found in 40 CFR Part 63 and 40 CFR Part 61. If there are any questions about

whether your facility might be subject to these federal regulations, you can call the AQB at the number listed above or visit the Environmental Protection Agency's web site (www.epa.gov/ttn).

Line 4: This line asks if your plant will be located less than three miles from a Class I area. Figure 1 of the application form includes a map of the nine Class I areas in New Mexico. Class I areas may be wilderness areas, national parks, or national wildlife refuges. If your plant will be less than three miles from the nearest boundary of a Class I area, your plant does not qualify to register under this general construction permit.

Line 5: This line asks if your plant will operate more than 4,380 hours per year. GCP-3 limits the hours of operation for plants registered under GCP-3 to no more than 4,380 hours per year.

Line 6: If your plant will be located in an area where there is an ongoing exceedance of a New Mexico or National Ambient Air Quality Standard (NMAAQs or NAAQS), it does not qualify for registration under this GCP. Currently, Doña Ana County exceeds the NAAQS for particulate matter less than 10 microns in diameter (PM₁₀). Plants to be located in Doña Ana County do not qualify for registration under GCP-3.

Line 7: If you're not sure whether the minor source baseline date has been established, please contact the permitting section of the Air Quality Bureau at (505) 827-1494. Have available the specific location information in either UTM or longitude/latitude and the township, range and section.

Line 8: GCP-3 limits the use of fuel sulfur for the asphalt plant to no greater than 0.5 percent by weight. Conditions in GCP-3 require recordkeeping for fuel sulfur content (see Paragraph IV.D.2.g and h). A spreadsheet is available for you to track the sulfur dioxide emissions from the fuel you are using in your plant. Please contact the Air Quality Bureau at (505) 827-1494 for more guidance on this issue or to obtain an electronic copy of the Excel spreadsheet. The spreadsheet is also available on our web site at <http://www.nmenv.state.nm.us/>.

Lines 9 and 10: GCP-3 limits the sulfur content of liquid fuel in generators to no greater than 0.05 percent by weight. Also, any gaseous fuels used must not exceed 0.75 percent sulfur by volume.

Line 11: GCP-3 is written for plants whose primary purpose is defined in Section I.A of GCP-3. If this is not your plant's primary purpose, it does not qualify for registration under this general permit.

Line 12: If your plant's capacity throughput is greater than 600 tons per hour, it will not qualify for registration under this general permit. Capacity throughput is defined as the manufacturer's maximum rated capacity of process equipment that is part of the plant's operation.

Line 13: If you plan to operate your plant other than during daylight hours, it will not qualify for registration under this general permit.

Line 14: Section III.B of GCP-3 lists all applicable state and federal regulations. If your plant cannot meet the requirements of all of these regulations, it does not qualify for registration under GCP-3. If you have any questions about the requirements of these regulations, you may contact the permitting section of the Air Quality Bureau at (505) 827-1494, or view the regulations on-line at http://www.nmenv.state.nm.us/NMED_regs/aqb_regs.html for New Mexico regulations or at <http://www.epa.gov/epahome/rules.html> - codified for federal EPA regulations.

Line 15: Sections III.D and III.E outline the location requirements for plants registering under GCP-3. Please review these requirements carefully to determine whether your plant can meet all the requirements under these two sections.

Line 16: To register under GCP-3, plants may not be located closer than ¼ mile to an existing recreation area, private residence, office building, school, or other occupied structure (see III.D.1.a). This distance should be measured as the closest distance from the perimeter of the Area of Operations to the nearest existing recreation area, private residence, office building, school, or other occupied structure. Section VII includes a definition of Area of Operations.

Line 17: If you intend to co-locate this plant with a concrete batch plant and/or either another asphalt plant or a crusher, all location requirements under Section III.F must be met.

Line 18: Section III.I of GCP-3 lists the requirements for haul road dust control based on number of haul trips and length of haul road. Plants that cannot meet these requirements are not eligible for registration under GCP-3. If you have any questions concerning these or other dust control methods, please contact the Air Quality Bureau at (505) 827-1494. You can also download information on dust control methods at http://www.nmenv.state.nm.us/aqb/open_house.html.

TABLE III: CURRENT FACILITY STATUS

In this Section, the AQB is asking for information on your plant's current condition. For example, it is important that the AQB knows if the proposed hot mix asphalt plant is already constructed and permitted under 20.2.72 NMAC.

Lines 1-4: Answer the questions as appropriate for your plant.

TABLE IV: FACILITY LOCATION INFORMATION

This table asks for information about the location of your plant, the type of land that it is located on, and its proximity to Class I areas within New Mexico. Some of the entries in the table that may need further explanation include the following:

Line 1.a: *Section* can be found on a USGS (United States Geological Survey) 7.5 minute map; each section is a one mile by one mile square. There are 36 sections in each township and each range.

Line 1.b: *Range* can be found on a USGS 7.5 minute map. Ranges run east and west from the center of the state in six-mile increments.

Line 1.c: *Township* can be found on a USGS 7.5 minute map. Townships run north and south from the center of the state in six-mile increments.

Line 2.a: *UTM Zone* means Universal Transverse Mercator Zone, which is part of the Universal Transverse Mercator Coordinate System of vertical and horizontal coordinates that can be used to pin-

point any location on the surface of the earth. The UTM system divides the earth into 60 global zones, each 6 degrees wide when measured at the equator.

- Zones 12 and 13 cover all of New Mexico. Zone 12 is west of the 180 line of longitude; Zone 13 is east of the 180 line of longitude.
- UTM coordinates in meters can be found on a USGS 7.5 minute map. North coordinates are distances from the equator; east coordinates are designated within each of the 60 global zones.

Line 2.b: *UTMH* means the horizontal UTM coordinate or “easting” coordinates.

Line 2.c: *UTMV* means the vertical UTM coordinate or “northing” coordinates

OR you may include latitude and longitude coordinates. This is a system of geometrical coordinates used in designating the location of places on the surface of the earth. Latitude and longitude coordinates may be derived from USGS 7.5 minute maps.

Line 3: Include the name and 5-digit zip code of the nearest New Mexico town and/or tribal community.

Line 4: Detailed driving instructions are required so that AQB personnel and the public can find your plant. If you use a map, include driving directions to the plant from the nearest highway.

Line 5: Check the appropriate box for land status (or land ownership).

IMPORTANT NOTE: A hot mix asphalt plant may relocate to another site without requesting a permit revision if the plant meets the requirements for relocation specified in its permit.

TABLE V: PROPOSED OPERATING SCHEDULE

Table V asks for information about the intended operating schedule of the plant once it is built or after it is modified. Some of the entries in the table that may need further explanation include the following:

Lines 1 and 2: *Maximum Operating Schedule.* This information is necessary for the AQB to determine your applicability for GCP-3. Please note the operating requirements in Section III.G, *Hours of Operation* for GCP-3. Your operation is restricted to operating no more than 4,380 hours per year, no earlier than ½ hour after sunrise and no later than ½ hour before sunset (during daylight hours only) or during the hours your company records on the registration form if you apply to operate less than these hours.

Lines 3 and 4: Make your best estimate of the dates for starting and completing construction and beginning operation of the proposed or modified plant. None of the anticipated dates that you provide will become a condition of your permit or notice.

Line 5: Indicate on the form if you plan to operate your plant continuously for more than one year at that particular site.

TABLE VI: OTHER FACILITY INFORMATION

Line 1: Indicate the *Capacity Throughput* of the plant in tons per hour (TPH). The Capacity Throughput is the manufacturer's maximum rated capacity of process equipment that is part of the plant's operation.

Line 2: Give the *Area of Operation* in acres. The *Area of Operations* is the area within the *Restricted Area* (see Line 5), which contains all emissions units and activities that may produce air contaminants. This includes all disturbed lands and all haul roads except the haul road between the *Restricted Area* and *Property Boundary**. Disturbed lands include all mining areas, stockpiles, and overburden removal areas used for operation of the facility.

Line 3: Enter the length of each haul road in miles (one way).

Line 4: Enter the amount of haul truck trips per day (round trip).

Line 5: The total area of disturbed earth in acres should be entered on this line.

Line 6: The *Restricted Area* is the area within the property boundary to which public access is restricted. However, the restricted area and the property boundary may be the same. The *Area with Restricted Public Access* requires fencing or something similar to keep the public out of the facility. List the restricted area in acres and explain what is used (e.g., signed fencing, berms, etc.) to restrict public access.

Line 7: Enter the type of material to be processed by the plant on this line. Examples would be aggregate, RAP, etc.

Line 8: Describe the control measures you are going to use in order to meet the fugitive emission requirements on haul roads as described in Section III.H.5 of this general construction permit.

***IMPORTANT NOTE:** The *Property Boundary* is the outside edge of the owned or leased property, which includes all equipment registered under this general construction permit. The property may consist of one or more contiguous and adjacent properties if they are owned, or leased, or under direct control of the owner or operator.

TABLE VII: PROCESS EQUIPMENT INFORMATION

This table requires information on the process equipment used for your operation. It is important that the AQB receive all the information listed on this table in order to determine emissions from your facility.

This is an example of the type of equipment information the AQB needs to process your application.

Unit Number	Component Description (or unit's function)	Mfr.	Mfr date	Model Number	Equipment Size, Capacity or Maximum Process Rate	Manufacturer's Emission Factors for Regulated Air Pollutants (for engines or generators)
1	Asphalt plant	Cedar Rapids	1996	8828	300 TPH	N/A
2	Baghouse	CMI	1996	RA-4186	300 TPH	N/A
3	Feeder	CMI	1996	PAB-432		
4	Generator	Cat	1998	5NM4321	400 HP	NO _x : 6.9 g/hp-hr
						CO: 8.0 g/hp-hr
						PM: .40 g/hp-hr
5	Conveyors	Eagle	1996	09876x5	300 TPH	N/A

TABLE VIII: STORAGE TANK INFORMATION

The applicability of this New Source Performance Standard (NSPS) depends upon the material stored, when the tanks were constructed or modified, tank size, and the true vapor pressure of the material stored.

TABLE IX: REQUIRED ATTACHMENTS

In addition to providing the information required by the tables in the permit application, you are required to submit specific information in support of your permit application. The attachments described below provide detailed information about the plant and the state and federal regulations that apply to the plant.

Each of the attachments must be included with your permit application and labeled according to the list shown in Part IX of the permit application. When complete, you should have six (6) attachments including the certification page (Attachments A-F, and Part X) to your permit application. Each attachment should be clearly labeled (ex: "Attachment A," Attachment B," etc.). Be sure to also include the certification page (Part X) that is located at the end of the permit application.

If you believe that one of the attachments does not apply to your facility, include the attachment labeled as required by the permit application and briefly explain why the requirements of the particular attachment are not applicable to your application.

Attachment A: A process flow sheet is a diagram that shows the flow of material through the facility. The process flow sheet should identify all process or production equipment, air emission points, and emission control equipment. Each piece of equipment and each emission point must be labeled with a number or letter, and a key must be included. The same numbering or lettering system must be used to identify equipment and emission points identified in Attachment B and in any other references throughout the application, including the other attachments.

Attachment B: A plot plan is a view from above of the facility that shows all air emission points, buildings and other structures such as tanks, fences and the property boundary under your direct control whether you own or lease the property. The plot plan must be drawn to scale and the structures and emission points labeled. Equipment and air emissions points shown in both Attachments A and B should be identified using the same numbering or lettering system. Include a scale and if necessary, a key.

Attachment C: You must submit a legible map showing UTM or Latitude/Longitude coordinates on both axes of the map. For “Name of the Map,” you must identify the base map from which the map excerpt that you are submitting was taken. The box listed in Table IX, Attachment C of the permit application describes other features that the map must show.

Attachment D: Provide documentation that public notice has been initiated. For example, attach a copy of the public notice advertised in the local newspaper. You can find sample public notification in the appendix.

Attachment E: An operational plan must describe what specific measures you will take to reduce source emissions during malfunction, start-up, and shut-down.

Attachment F: Certification – see Part X.

PART X: CERTIFICATION

You are required by the New Mexico Administrative Code to certify that the information that you are providing in this permit application and notice of intent is accurate and true. Fill-in the information required on the certification page of the application, have the form notarized by a Notary Public, and include it as part of your application.

The AQB will rule your application or notice incomplete if it is missing a fully completed certification page.

SAMPLE TEMPLATE
PUBLIC NOTICE OF PERMIT APPLICATION

In order to comply with the requirement of the New Mexico Administrative Code Title 20, Chapter 2, Part 72 Construction Permits, _____ {name of Facility owner} hereby announces its intent to apply to the New Mexico Environment Department, Air Quality Bureau for registration to construct a Plant under general permit GCP-3 for Hot Mix Asphalt Plants. The process for which the permit is sought is to _____. The Plant name is _____. The location of the Plant is Section _____, Township _____, Range _____, about _____ miles to the _____ {direction} of _____. {nearest city or village etc.} The expected date for submittal of the registration application to the Bureau is _____.

General permit GCP-3 limits the annual emissions from the entire plant including sources of fugitive emissions to no more than:

1. 95 tons per year (TPY) Total Suspended Particulate (TSP)
2. 95 (TPY) of nitrogen oxides (NO_x),
3. 95 TPY of carbon monoxide (CO),
4. 95 TPY of volatile organic compounds (VOCs),
5. 8 TPY of the sums of all Hazardous Air Pollutants (HAPs)

The Department has modeled the allowable emissions from Plants that can meet all of the operating conditions described in the general permit. Plants that can meet all of the permit restrictions have been determined to meet the New Mexico Ambient Air Quality Standards, the National Ambient Air Quality Standards, and the Prevention of Significant Deterioration increments. The maximum operating hours of the Plant are 4,380 hours per year and shall occur only during daylight hours.

The owner and/or operator of the Plant is:

{name}
{company}
{street address}
{city, state, zip code}

Comments and questions regarding this application for registration under general permit (GCP-3) or the permitting process may be directed to:

Program Manger, Permit Section
New Mexico Environment Department
Air Quality Bureau
2048 Galisteo
Santa Fe, New Mexico 87505

Please refer to the company name and Plant name used in this notice, or send a copy of this notice when making inquires, because the Department may not have received the general permit registration application at the time of this notice.

SAMPLE

NOTICE

January XX, 20XX

On {Date your Plant plans to begin operation}, {Your Company Name} plans to construct a hot mix asphalt plant at this location.

The maximum operating schedule of the plant will be during daylight hours only, beginning no earlier than ½ hour after sunrise and ending no later than ½ hour before sunset, not to exceed 4,380 hours per year. This plant plans on operating at this location until {give approximate date of project completion}.

Questions and comments regarding this notice may be directed to:

Program Manager
Technical Analysis and Permits Section
New Mexico Environment Department
Air Quality Bureau
2048 Galisteo
Santa Fe, New Mexico 87505
Phone: (505) 827-1494
Fax: (505) 827-1523